

House File 2310 - Introduced

HOUSE FILE _____
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 568)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the departments of public health and human
2 services to collect data and develop a protocol to address the
3 relationship between substance misuse, abuse, or dependency by
4 a child's parent, guardian, custodian, or other person
5 responsible for the child's care and child abuse.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
7 TLSB 5091HV 82
8 jp/nh/5

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1 1 Section 1. SUBSTANCE ABUSE AND CHILD ABUSE.
1 2 1. The departments of public health and human services
1 3 shall conduct a study involving the collection of information
1 4 regarding the relationship between substance misuse, abuse, or
1 5 dependency by a child's parent, guardian, custodian, or other
1 6 person responsible for the child's care and child abuse. The
1 7 purpose of the study is to identify effective means of
1 8 reducing the incidence and impact of child abuse, including
1 9 denial of critical care and interventions with families by the
1 10 child welfare system, that is wholly or partially caused by
1 11 substance misuse, abuse, or dependency by the child's parent,
1 12 guardian, custodian, or other person responsible for the
1 13 child's care.
1 14 2. The data, activity, and information addressed by the
1 15 study shall include but is not limited to all of the
1 16 following:
1 17 a. The departments shall develop data identifying the
1 18 prevalence of the presence of children in the household among
1 19 adults receiving substance use disorder evaluations. The
1 20 initial data collected shall cover at least three months of
1 21 the fiscal year beginning July 1, 2008.
1 22 b. The department of human services shall include in the
1 23 written assessment made for a child abuse report a
1 24 determination as to whether or not substance abuse by the
1 25 child's parent, guardian, custodian, or other person
1 26 responsible for the child's care was a factor in the report
1 27 and finding of abuse. The department shall provide
1 28 nonidentifying information concerning the prevalence of the
1 29 determinations in child abuse assessments. The initial data
1 30 collected shall cover at least three months of the fiscal year
1 31 beginning July 1, 2008.
1 32 c. The departments shall develop and implement a protocol
1 33 to jointly address those child abuse cases that are wholly or
1 34 partially caused by substance misuse, abuse, or dependency by
1 35 the child's parent, guardian, custodian, or other person
2 1 responsible for the child's care. The protocol shall
2 2 initially be implemented by the departments on or before July
2 3 1, 2009.
2 4 3. The departments shall make an initial report to the
2 5 governor and the standing committees on human resources of the
2 6 senate and house of representatives concerning the initial
2 7 data collected, preliminary recommendations, and status of the
2 8 protocol implementation pursuant to this section on or before
2 9 December 15, 2009, and shall make a report covering the
2 10 initial data for a twelve-month period on or before December
2 11 15, 2010.

EXPLANATION

2 12 This bill requires the departments of public health (DPH)
2 13 and human services (DHS) to perform a study, collect data, and
2 14 develop a protocol to address the relationship between
2 15 substance misuse, abuse, or dependency by a child's parent,
2 16

2 17 guardian, custodian, or other person responsible for the
2 18 child's care and child abuse.
2 19 The DPH and DHS are required to develop data identifying
2 20 the prevalence of the presence of children in the household
2 21 among adults receiving substance use disorder evaluations; DHS
2 22 is required to include in the written assessment made for a
2 23 child abuse report a determination as to whether or not
2 24 substance abuse by the child's parent, guardian, custodian, or
2 25 other person responsible for the child's care was a factor in
2 26 the report and finding of abuse; and DPH and DHS are required
2 27 to develop and implement a protocol to jointly address those
2 28 child abuse cases that are wholly or partially caused by
2 29 substance misuse, abuse, or dependency by the child's parent,
2 30 guardian, custodian, or other person responsible for the
2 31 child's care.
2 32 The bill includes dates for reporting to the governor and
2 33 committees on human resources of the senate and house of
2 34 representatives.
2 35 LSB 5091HV 82
3 1 jp/nh/5